

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

UNITED STATES OF AMERICA,

Plaintiff,

TRACIE SOTO

Defendant.

**MOTION TO CONTINUE TRIAL TO
PERMIT UACT PARTICIPATION
AND TO EXCLUDE TIME**

Case No.

District Judge

20-CR-0009 HCN

Nelson

I am the defendant in the above-captioned case. On my behalf, my attorney is making this Speedy Trial Motion in connection with my application for consideration by the UACT Selection Committee for participation in the United States District Court for the District of Utah Trial Alternatives to Conviction-Track (UACT). I have discussed with my attorney, and understand: (1) I have a right to have my case proceed to trial within the time period specified by a federal statute - 18 U.S.C. § 3161; (2) the nature and conditions of UACT; (3) I recognize that there may not be an opening currently available in UACT and that my application will be reviewed in a timely fashion as outlined in the Interagency Agreement; (4) this Motion will be used to permit consideration of my application and, if I am accepted, to allow negotiation and entry of a plea to enter into UACT under the terms and conditions required for participation; (5) this Motion will be used by the judge presiding in my case to exclude time under the Speedy Trial Act from the date of the Motion to the date of my preliminary acceptance unto UACT; (6) in the event I am accepted into the program, time will be excluded under the Speedy Trial Act up to and including the date that a change of plea is entered and accepted by the Judicial Officer presiding over UACT; and (7) in the event I am not accepted into the program for any reason, my case will proceed in normal course, including with my statutory rights to a speedy trial reinstated as to the time accruing after that date.

Understanding all of this: (1) I want to be considered for participation in the UACT; (2) I request my case be transferred to the UACT Judicial Officer upon my acceptance into the program; (3) I authorize an Order excluding time under the Speedy Trial Act from the date of my application through and including the date that a change of plea is entered in connection with the program; and (4) I agree that any such time will be excluded from the time period set by statute in which my criminal case would otherwise have to proceed to trial, and that this is so even if I am not ultimately accepted into UACT.

I have discussed this with my attorney, and I understand, this Motion affects the right accorded to me by statute to have my trial begin within seventy days of the indictment or information being publicly filed. This motion is made knowingly and voluntarily because I want to be considered for participation in UACT and for no other reason.

Defendant Signature

Date

TRACIE SOTO

Printed Name

Signed by counsel on defendant's behalf with
her permission - Audrey James

I am ANDREY K. JAMES, attorney for the defendant. I have carefully and thoroughly discussed with my client this Speedy Trial Motion, including in particular: (1) my client's right to have the criminal case against my client proceed to trial within the time period specified by 18 U.S.C. § 3161; (2) that an Order excluding time under the Speedy Trial Act incorporating and attaching this signed Speedy Trial Motion; (3) the nature and conditions of the UACT; (4) that my client wishes to be considered for participation in UACT; (5) that there is no guarantee of acceptance or definite time period specified in which an opening in the program might become available or any action might be taken on my client's application to the program; (6) that upon acceptance into UACT, my client's case will be transferred to the UACT Judicial Officer; and (7) by signing this Speedy Trial Motion, my client consents to this motion which affects his right accorded by statute to have the trial in this case proceed within seventy days of the indictment or information being publicly filed. I believe my client is executing this Speedy Trial Motion knowingly and voluntarily because my client wants to be considered for participation in UACT, and for no other reason. I concur in my client's consent to exclusion of time as set forth in this Speedy Trial Motion.

Andrey K. James
Attorney Signature

3/25/21
Date

ANDREY JAMES
Printed Name

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Date

Defendant Signature

Printed Name